

ORLANDO S. REES.

MAY 4, 1846.

Read, and laid upon the table.

Mr. DANIEL, from the Committee of Claims, made the following

REPORT :

*The Committee of Claims, to whom was referred the petition of Orlando S. Rees, report :*

That the United States never indemnify citizens for losses sustained by the depredations of enemies, savage or civilized. Had the United States taken military possession of the property of the petitioner, and put it to such uses as, in consonance with the laws of war, would justify its destruction in consequence thereof, indemnity would be due. But this it is not pretended was the case.

The committee offer the following resolution :

*Resolved,* That the prayer of the petitioner be not granted.

*To the honorable Speaker and members of the House of Representatives in the Congress of the United States :*

The memorial of Orlando S. Rees, of Sumter district, in the State of South Carolina, respectfully sheweth : That your memorialist, before and at the breaking out of the late Seminole war in the Territory of Florida, was the owner of a very valuable real and personal estate. The said real estate was highly improved, and under very successful cultivation, when the enemy made an attack on it, and laid waste his dwelling-house, out-houses, sugar-mill, and every improvement on the place that was combustible ; carried away with them his horses, cattle, oxen, and about one hundred slaves.

Your memorialist submits to your honorable body that he was entitled to the protection of the government, and it was the duty of the United States so to have governed the Seminoles (who are subject to them) as to have prevented the losses he has suffered. In a war between two independent nations, it may not be that the injury done to every citizen is to be repaired by the State where such injury is perpetrated by the enemy ; and the reasons given by the writers on the subject are the exhausting the public treasury and the abuses that would follow such indemnification. Yet Vattel says : "It is highly consentaneous to the duties of the State,

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